



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stuart Kamille

Application No.: 09/461,698

Filed: December 14, 1999

For: SIMULTANEOUS SCORING AND EVALUATION OF
ELICITED RESPONSES

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed February 7, 2000, please find enclosed:


- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application;
- (4) a Petition for a ___ month extension of time under 37 C.F.R. § 1.136(a); and
- (5) a check in the amount of _____ in payment of the extension of time fee.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 3/27/02



Michael J. Mallie
Reg. No. 36,591

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598

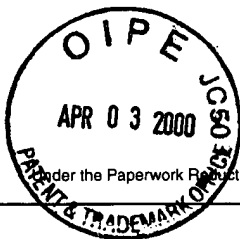
FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on 3-28-00
Date of Deposit

Sharon M. Osofsky
Name of Person Mailing Correspondence

Sharon M. Osofsky 3-28-00
Signature Date

**FEE TRANSMITTAL FOR FY 2000**TOTAL AMOUNT OF PAYMENT (\$) 130.00**Complete if Known:**

Application No. 09/461,698
Filing Date December 14, 1999
First Named Inventor Stuart Kamille
Group Art Unit 2768
Examiner Name Not Yet Assigned
Attorney Docket No. 003004.P007

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:

☒ Check
☐ Money Order
☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------|----------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 101 | 690 | 201 | 345 | Utility application filing fee | |
| 106 | 310 | 206 | 155 | Design application filing fee | |
| 107 | 480 | 207 | 240 | Plant filing fee | |
| 108 | 690 | 208 | 345 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional application filing fee | |
| SUBTOTAL (1) | | | | | \$ 0 |

2. EXTRA CLAIM FEES

| | | Extra Claims | Fee from below | Fee Paid |
|--------------------|-----------|--------------|----------------|----------|
| Total Claims | <u>20</u> | - 20** = | X | = |
| Independent Claims | <u>3</u> | - 3** = | X | = |
| Multiple Dependent | | | | = |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Code | Fee (\$) | Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 78 | 202 | 39 | Independent claims in excess of 3 |
| 104 | 260 | 204 | 130 | Multiple dependent claim, if not paid |
| 109 | 78 | 209 | 39 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 130.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for response within first month | |
| 116 | 380 | 216 | 190 | Extension for response within second month | |
| 117 | 870 | 217 | 435 | Extension for response within third month | |
| 118 | 1,360 | 218 | 680 | Extension for response within fourth month | |
| 128 | 1,850 | 228 | 925 | Extension for response within fifth month | |
| 119 | 300 | 219 | 150 | Notice of Appeal | |
| 120 | 300 | 220 | 150 | Filing a brief in support of an appeal | |
| 121 | 260 | 221 | 130 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive unavoidably abandoned application | |
| 141 | 1,210 | 241 | 605 | Petition to revive unintentionally abandoned application | |
| 142 | 1,210 | 242 | 605 | Utility issue fee (or reissue) | |
| 143 | 430 | 243 | 215 | Design issue fee | |
| 144 | 580 | 244 | 290 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 690 | 246 | 345 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 149 | 690 | 249 | 345 | For each additional invention to be examined (see 37 CFR 1.129(a)) | |
| Other fee (specify) _____ | | | | | |
| Other fee (specify) _____ | | | | | |

SUBTOTAL (3) \$ 130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Michael J. MallieSignature Date 3/27/00Reg. Number 36,591Deposit Account User ID 02-2666

(complete if applicable)

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on 3-28-00

Date of Deposit

Sharon M. Osofsky

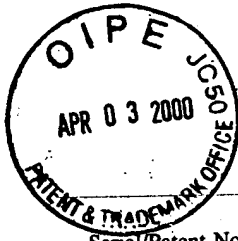
Name of Person Mailing Correspondence

Sharon M. Osofsky

Signature

3-28-00

Date



Serial/Patent No.: 09/461,698

Filing/Issue Date: 12/14/99

Client: Stuart Kamille

Title: SIMULTANEOUS SCORING AND EVALUATION OF ELICITED RESPONSES

BSTZ File No.: 003004.P007

Atty/Secty Initials: MJM/PMG/smo

Date Mailed: 3-28-00

Docket Due Date: 4-7-00

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ Amendment/Response (____ pgs.)
- ☐ Appeal Brief (____ pgs.) (in triplicate)
- ☐ Application - Utility (____ pgs., with cover and abstract)
- ☐ Application - Rule 1.53(b) Continuation (____ pgs.)
- ☐ Application - Rule 1.53(b) Divisional (____ pgs.)
- ☐ Application - Rule 1.53(b) CIP (____ pgs.)
- ☐ Application - Rule 1.53(d) CPA Transmittal (____ pgs.)
- ☐ Application - Design (____ pgs.)
- ☐ Application - PCT (____ pgs.)
- ☐ Application - Provisional (____ pgs.)
- ☐ Assignment and Cover Sheet

☒ Certificate of Mailing

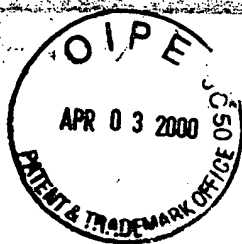
☒ Declaration & POA (5 pgs.)

☐ Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)

☐ Drawings: ____ # of sheets includes ____ figures

- ☐ Express Mail No.: _____ ☒ Check No. 34476
- ☐ ____ Month(s) Extension of Time Amt: \$130.00
- ☐ Information Disclosure Statement & PTO 148 (____ pgs.) ☐ Check No. _____
- ☐ Issue Fee Transmittal Amt: _____
- ☐ Notice of Appeal
- ☐ Petition for Extension of Time
- ☐ Petition for _____
- ☒ Postcard
- ☐ Power of Attorney (____ pgs.)
- ☐ Preliminary Amendment (____ pgs.)
- ☐ Reply Brief (____ pgs.)
- ☒ Response to Notice of Missing Parts
- ☐ Small Entity Declaration for Indep. Inventor/Small Business
- ☐ Transmittal Letter, in duplicate
- ☒ Fee Transmittal, in duplicate

☒ Other: PTO Form 1533



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MTM

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
|--------------------|---------------------|-----------------------|---------------------------|

09/461,698 12/14/99 KAMILLE

S 03004.P007

(TUNET KAMILLE)

0212/0207

PARAMITAGHOSH
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES CA 90025-1026

DATE MAILED: 2768

02/07/00

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.
Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:
\$ _____ for _____ total claims over 20.
\$ _____ for _____ independent claims over 3.
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☐ is missing or unsigned.
☐ does not cover the newly submitted items.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Best Available Copy